



United States  
Department of  
Agriculture

Farmers  
Home  
Administration

Washington  
D.C.  
20250

FmHA AN No. 1762 (1955)

June 16, 1988

SUBJECT: Recording of Easements on Inventory Farms

TO: State Directors, District Directors,  
and County Supervisors

ATTN: Farmer Program Chiefs

PURPOSE/INTENDED OUTCOME

The purpose of this AN is to provide guidance for the use and recording of easements on Farmers Home Administration (FmHA) inventory farms in accordance with FmHA Instruction 1955-C, Sections 1955.137 and 1955.139, and FmHA Instruction 1940-G.

COMPARISON WITH PREVIOUS AN

There is no previous AN on this subject.

IMPLEMENTATION RESPONSIBILITIES

On FmHA inventory farms located in special areas or having special characteristics, it is required, in accordance with FmHA Instruction 1955-C, §1955.137, and various sections of FmHA Instruction 1940-G, that an easement(s) be delineated and obtained before the farm is offered to the former owner(s) or operator(s). Purposes for which easements are required include: wetlands, floodplains, endangered or threatened species, critical habitats, designated or proposed wilderness areas, designated or proposed wild or scenic rivers, historic or archaeological sites listed or eligible for listing on the National Register of Historic Places, coastal barriers included in Coastal Barrier Resource Systems, natural landmarks listed on National Registry of Natural Landmarks, and sole source aquifer recharge as designated by the Environmental Protection Agency.

After all leaseback/buyback rights have been exhausted, the broader types of conservation easements, as listed in FmHA Instruction 1955-C, §1955.139, can be considered. These easements are not mandatory, but are at the discretion of FmHA.

EXPIRATION DATE:  
June 30, 1989

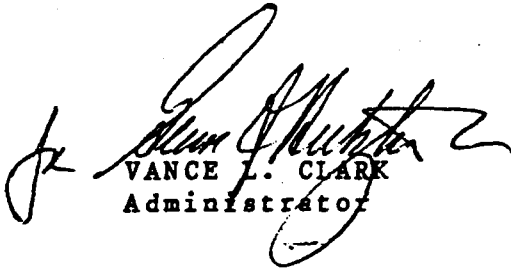
FILING INSTRUCTIONS:  
Preceding FmHA  
Instruction 1955-C



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Complaints of discrimination should be sent to:  
Secretary of Agriculture, Washington, D.C. 20250

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When it is determined that an easement will be executed for any of the above purposes, FmHA will record the easement as soon as the terms of the easement are agreed to rather than waiting until the time the property is conveyed. By recording the easement prior to the sale, it will eliminate the use of other agreements, such as caretaker agreements, that the prospective easement holder or easement manager would have wanted to be signed while the property is still in FmHA inventory.

  
VANCE L. CLARK  
Administrator